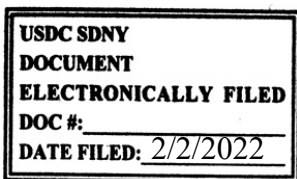


THE WEITZ LAW FIRM, P.A.



Bank of America Building
18305 Biscayne Blvd., Suite 214
Aventura, Florida 33160

January 31, 2022

VIA CM/ECF

Honorable Magistrate Judge Katharine H. Parker
United States District Court
Southern District of New York
500 Pearl Street - Courtroom 17D
New York, NY 10007

Application DENIED. Plaintiff shall have 60 days to complete alternative service. The initial conference scheduled for February 3, 2022 is hereby adjourned to May 19, 2022 at 11:00 a.m. The parties are directed to call into the Court conference line at (866) 434-5269, Code: 4858267 at the scheduled time.

SO ORDERED:

Katharine H. Parker 2/2/2022
HON. KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE

**Re: Velasquez v. 85 Pearl Street Venture Ltd., d/b/a Stone Street Tavern, et al.
Case 1:21-cv-01973-PGG-KHP**

Dear Judge Parker:

The undersigned represents the Plaintiff in the above-captioned case matter. The Initial Pretrial Conference in this matter is currently scheduled for February 3, 2022, at 11:00 a.m., in your Honor's Courtroom. However, Defendants have not appeared in this matter.

The Defendants were originally served via the Department of State. Besides the backlog at that agency, as previously relayed, The Department of State serve by certified mail and the date posted on their Affidavits is when the Complaints are served by a process server to them. This poses a problem as we don't know when they are actually received by the Defendant corporations. A second problem is that the addresses are often defunct as this agency leaves it up to the corporations to update them of any new address every two years, that unfortunately does not get reported. What is left with an address that may or may not be a valid or current address. From our research, online internet searches find that other online sources mimic what the Department of State has on their current records for corporations.

This is the dilemma with this instant case has. The registered agent for the Tenant Defendant 85 Pearl Street Venture Ltd. as derived from the Department of State records, never responded to the undersigned's emails or correspondence. See attached Composite Exhibit "A". (The Federal Express receipt is a sample of one of several that were sent). When calling the number listed for the registered agent, the number was inoperable. Plainly, the Tenant needs to be re-served at a better address.

The Landlord Defendant Stone 33, LLC's address with the Division of Corporation, Department of State is listed at their management company's (Goldman Properties) suite number, Suite 500, and address. See Exhibit "B". In other words, all incoming and outgoing business and mail for Stone 33, LLC goes to Goldman Properties, including service of process. That location is permanently closed. See Exhibit "C". Their telephone answering voicemail relays that "due to the current corona virus outbreak, [they] are currently closed. That this was mandated by the City of New York."

The undersigned is actively trying to re-serve both entities and is coming to a standstill being that the City is mandating closures for certain businesses. We do not know how this will fare or where it will end. What we do know is that we don't have a firm address for service for the Landlord Defendant. Whether we are able to find a serviceable address for Tenant Defendant, the fact that the Landlord Defendant cannot be served at a serviceable corporate address will hold this matter back, as both the Tenant and the Landlord need to respond in this matter.

The undersigned finds that nothing less than a request for a stay of all action in this matter is appropriate until the undersigned can contact both Defendants through viable means and addresses to serve them personally in order to solicit both Defendants' appearance. The undersigned, therefore, requests a stay of all action until the undersigned is able to serve Defendants personally at serviceable addresses.

Thank you for your consideration of this request.

Sincerely,

By: /S/ B. Bradley Weitz
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